

## CHAPTER 81

## HIGHWAYS

S. F. 337

AN ACT to repeal section fifteen hundred twenty-seven-r two (1527-r2) of the supplemental supplement to the code, 1915, (C. C. 2829), relating to the establishment of roads, and to enact a substitute therefor.

*Be it enacted by the General Assembly of the State of Iowa:*

1     SECTION 1. **Condemnation—procedure.** To repeal section fifteen  
2 hundred twenty-seven-r2 (1527-r2) of the supplemental supplement  
3 to the code, 1915, (C. C. 2829) and by enacting in lieu thereof the  
4 following: "If for any reason, the board is unable to acquire such  
5 highway by agreement with the owner or owners, such owner or  
6 owners who are residents of the county shall be personally served in  
7 the manner original notices are required to be served, and such owner  
8 or owners who do not reside in said county shall be served by pub-  
9 lishing a notice in some newspaper in the county, once each week for  
10 two weeks, but personal service outside of the county but within the  
11 state in the manner original notices are required to be served, shall be  
12 deemed personal service and shall take the place of published service,  
13 and in addition, notice shall be served in the manner original notices  
14 are required to be served upon the actual occupant of the land, if said  
15 land be occupied, notifying interested parties that three disinterested  
16 freeholders will be selected as appraisers, one by the board of super-  
17 visors, one by the owner or owners of the property affected, where  
18 there are two or more tracts affected, and one by the two so appointed,  
19 said notice to fix a definite date upon which the interested party or  
20 parties may appear and name one appraiser, and in the event said  
21 owner or owners fail to appear, in person or by agent, or fail to agree  
22 upon the selection of an appraiser, the board of supervisors may ap-  
23 point two of such appraisers who shall select a third appraiser, and  
24 such appraisers shall make a return of their doings within ten (10)  
25 days to the county auditor, and the board shall fix a day for a hearing,  
26 at which time it will consider the report of the appraisers and hear all  
27 objections to said change and claims for damages, and at which time  
28 it will determine all damages to each claimant by reason of such pro-  
29 posed change, and notice of such hearing shall be given to all inter-  
30 ested parties in the manner as hereinbefore provided. The board, if  
31 it so desires, may fix dates for appointing appraisers and considera-  
32 tion of their report, objections and claims for damages in one notice."

Approved March 20, A. D. 1923.